

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Jae-Ryong BUM Confirmation No.: 4038
Appl. No. : 10/617,763
Filed : July 14, 2003
For : HOST PROCESSING DEVICE USING EXTERNAL STORAGE
MEDIUM

REQUEST FOR REFUND

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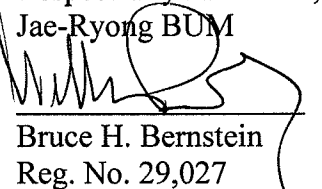
Sir :

Applicant respectfully requests a refund in the amount of \$130.00 paid on June 6, 2008 in connection with the filing of a paper in the above-identified application on June 6, 2008. The basis of this Request for Refund is that according to the Decision (of January 7, 20008) regarding the Petition filed on January 7, 2004 and also on April 10, 2006, no fee was required. A copy of the Decision is attached.

Thus submission of the payment of \$130.00 was made by mistake. Therefore Applicant is entitled to a refund.

Please make payment of the refund to Deposit Account No. 19-0089.

William Pieprz
Reg. No. 33,630

Respectfully submitted,
Jae-Ryong BUM

Bruce H. Bernstein
Reg. No. 29,027

July 16, 2008
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/617,763	07/14/2003	Jae-Ryong Bum	P23955	4038

7055 7590 01/07/2008
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EXAMINER

SHIN, CHRISTOPHER B

ART UNIT	PAPER NUMBER
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2181

NOTIFICATION DATE	DELIVERY MODE
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01/07/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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 **COPY**

In re Application of:
Jae-Ryong BUM
Appl. No.: 10/617763
Filed: July 14, 2003
For: HOST PROCESSING DEVICE USING EXTERNAL
STORAGE MEDIUM

DECISION ON PETITION
UNDER 37 CFR § 1.59

This is a decision on the petition under 37 CFR § 1.59(b), filed on January 7 2004 and also on April 10, 2006, to expunge information submitted pursuant to MPEP § 724.05.

The petition is **DISMISSED**.


Petitioner requests that the information submitted in an Information Disclosure Statement, filed October 14, 2003, be expunged from the record. Petitioner states that failure to obtain its return would cause irreparable harm to Applicant, and the information has not otherwise been made public. The petition fee set forth in 37 CFR § 1.17(h) has been paid.

The petition is premature because the application has not been allowed or abandoned. Accordingly, it is not appropriate to make a final determination of whether or not the material requested to be expunged is "material," with "materiality" being defined as any information which the examiner considers as being important to a determination of patentability of the claims. Thus, the petition to expunge must be dismissed at this time.

During prosecution on the merits, the examiner will determine whether or not the information submitted on October 14, 2003 is considered to be "material." Once prosecution on the merits is closed, applicant may re-submit a petition to expunge the information. No further fee is required for such a second submission of a petition under 37 CFR § 1.59 to expunge information. If the information is not considered by the examiner to be material, the information will be expunged from the application and may be returned to applicant.

The identified documents are currently not available for public view as of December 21, 2007. It is noted that the instant application has been published on February 26, 2004. Thus, the identified documents submitted on October 14, 2003 have already been made available to the public and subject to copying by the public. According, the Office cannot guarantee that the information being closed as a result of this decision was not previously accessed by the public.

Any inquiry concerning this decision should be directed to the undersigned whose telephone number is (571) 272-4210.


Mano Padmanabhan, WQAS 2180
Technology Center 2100
Computer Architecture, Software, and Information Security